



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

235

CRM-M-46111-2025
Decided on : 29.01.2026

Sukhpreet Singh @ Sukhraj Singh @ Sukha @ Rikki
... Petitioner(s)
Versus
State of Punjab
... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Jasmeet Singh Ghuman, Advocate
for the petitioner(s).

Mr. Jasdeep Singh, Addl. AG, PUnjab.

SANJAY VASHISTH, J. (Oral)

1. In the present case, after hearing learned counsel for the petitioner,
on 27.08.2025, following order was passed:-

“1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sukhpreet Singh @ Sukhraj Singh @ Sukha @ Rikki	08	06.02.2025	109, 132, 221, 3(5) of BNS, 2023 and 25 & 27 of Arms Act, 1959 [S. 238 & 345(3) of BNS, 2023, added later on]	Lohian	Jalandhar Rural

2. Learned counsel for the petitioner primarily argues that co-accused of the petitioner, namely; Varinderpal Singh, against whom also number of cases were registered, has already been ordered to be released on bail by this Court vide order dated 05.08.2025, passed in CRM-M-37957-2025, titled as, “Varinderpal Singh v. State of Punjab” (Annexure P-3).
3. Further submits that petitioner is also facing number of cases, and details of which have been mentioned in paragraph No.10 of the present petition. In most of those cases, either petitioner is acquitted



or on bail, except on conviction under the Juvenile Act.

4. *In the present case, it is alleged that a firing incident took place upon the police party, during which the petitioner – Sukhpreet Singh @ Sukhraj Singh @ Sukha @ Rikki – also suffered an injury on his leg, and was apprehended from the spot by the police, while other accused persons, including Varinderpal Singh, managed to escape.*

5. *At this stage, the State is directed to file a comprehensive status report, including the present stage of the trial.*

6. *List again on 17.11.2025.”*

2. Learned counsel for the petitioner argues that no injury was caused to any person except to the petitioner himself; therefore, the provisions of Section 109 of BNSS, 2023 would not, in fact, be attracted in the present case. He further submits that in most of the other criminal cases, the petitioner has either been acquitted or has undergone the sentence already awarded. It is also pointed out that, in the present case, it was the petitioner who suffered a bullet injury due to firing allegedly carried out by members of the police team.

It is contended that the petitioner has been in custody for about 11 months and 17 days, and despite there being 24 cited prosecution witnesses, not even a single witness has been examined so far. Charges were framed on 30.08.2025 and nothing remains to be recovered from the petitioner. In these circumstances, it is argued that the petitioner cannot be detained in custody for an indefinite period and deserves the concession of regular bail.

3. On the other hand, learned State counsel has filed a custody certificate dated 28.01.2026 in Court today, which is taken on record. The office is directed to tag the same at the appropriate place. A copy thereof has been supplied to learned counsel for the petitioner.

4. Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner is involved in several other criminal cases, details whereof are mentioned in paragraph No.12 of the status report dated 12.12.2021. It is further pointed out that at the time of arrest, one pistol (USA made, .32 bore, bearing No.1100), along with two live cartridges and four used cartridges, was recovered from the possession of the petitioner, besides a Swift car bearing registration No. PB07-HB-0608. Another recovery of four live cartridges of .32 bore was effected from the said Swift car upon its seizure. A Creta car bearing registration No. HR-10-1819 was also recovered along with one sword.

In view of the antecedents of the petitioner and the gravity of the offences, learned State counsel submits that the petitioner does not deserve any leniency and prays for dismissal of the bail petition.

5. I have heard learned counsel for the parties and perused the record with their able assistance.

6. As per the custody certificate, the petitioner has remained in custody in the present case for a period of about 11 months and 17 days, and till date, the process of recording prosecution evidence has not commenced. As per the custody certificate, the petitioner is found to be involved in multiple cases, details whereof are reproduced here-under:-

Sr. No.	FIR/Case Details	Status
1.	FIR No.11, dated 15.01.2025, u/s 109, 125, 324(4), 3(5) of BNS, and 25/27/54/59 of Arms Act, P.S. Shahkot	Not on bail
2.	FIR No.36, dated 07.04.2025, u/s 21/22/61/85 of NDPS Act, P.S. Sultanpur Lodhi	Acquitted (2 years 10 months & 12 days)
3.	FIR No.35, dated 22.02.2025, u/s 392/120-B of IPC, P.S. Shahkot	Acquitted (2 years 11 months & 02 days)



4.	<i>FIR No.191, dated 09.08.2022, u/s 15/61/85 of NDPS Act, P.S. Shahkot</i>	<i>Sentence completed on 20.04.2017</i>
5.	<i>FIR No.263, dated 22.11.20211, u/s 25/54/59 of Arms Act, P.S. City Nakodar</i>	<i>Acquitted on 25.08.2018</i>
6.	<i>FIR No.53, dated 20.04.2003, u/s 25 of Arms Act, P.S. Lohian</i>	<i>Acquitted on 01.08.2018</i>
7.	<i>FIR No.109, dated 08.06.2012, u/s 25 of Arms Act and 336, 392, 427 of IPC, P.S. Sultanpur Lodhi</i>	<u>Acquitted as per counsel for the petitioner.</u>
<u>Details of punishment awarded by Jail authority</u>		
8.	<i>Punishment</i>	<i>30 days (w.e.f. 24.05.2025 to 24.06.2025) Prisoner punished by JAIL SUP against the order no. 662 and punishment type Block Visitors for the offence Assault/Use of Criminal Force</i>

7. This Court is conscious of the antecedents attributed to the petitioner; however, prolonged pre-trial incarceration cannot be permitted by assuming the character of petitioner. The right to speedy trial is a valuable right guaranteed under law, and the petitioner cannot be kept behind bars for an indefinite period when the trial has not progressed.

Therefore, in view of the totality of circumstances and without expressing any opinion on the merits of the case, this Court deems it appropriate to extend the concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. petitioner are ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore,



trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

January 29, 2026
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*